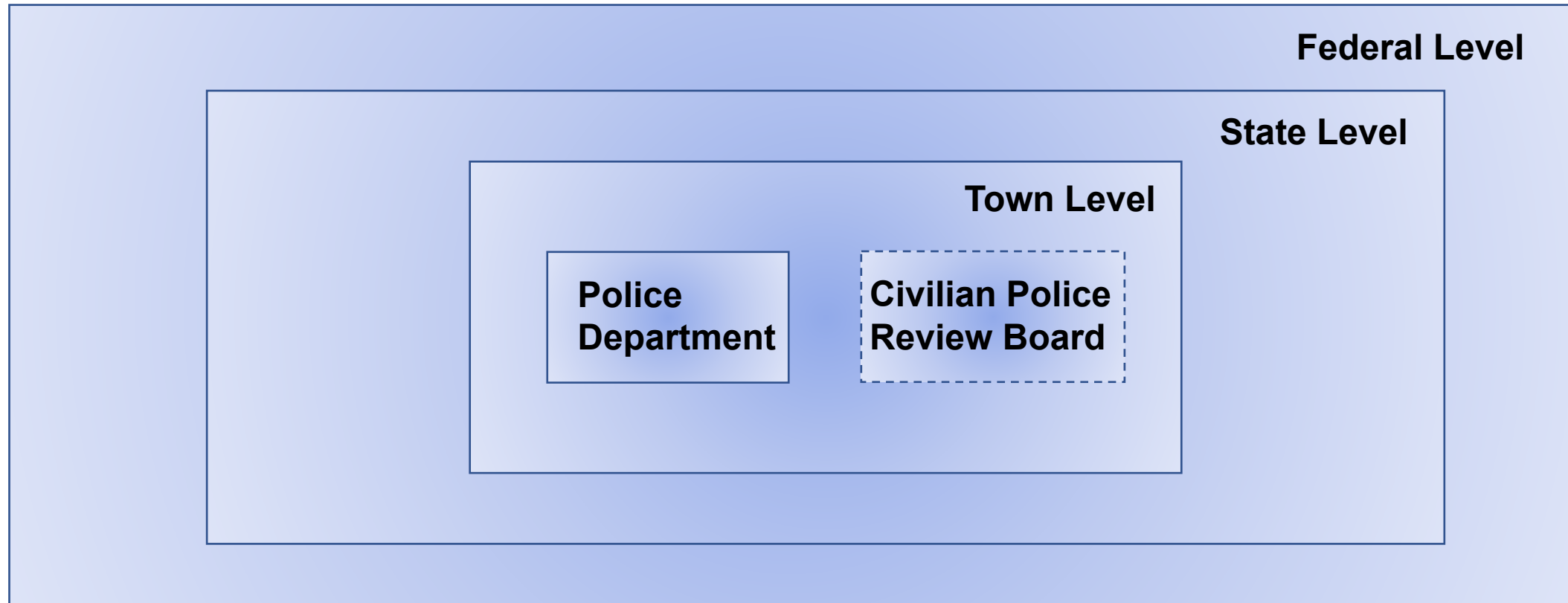




Review of Functions/Models of Police Review Boards

Police Civilian Advisory Board Study Committee
May 6th, 2021

Police Accountability



Civilian Police Review Boards are part of a hierarchical “ecosystem” of institutions, laws, and regulations that jointly provide an oversight of police actions, policies, and procedures.

Civilian Police Review Boards

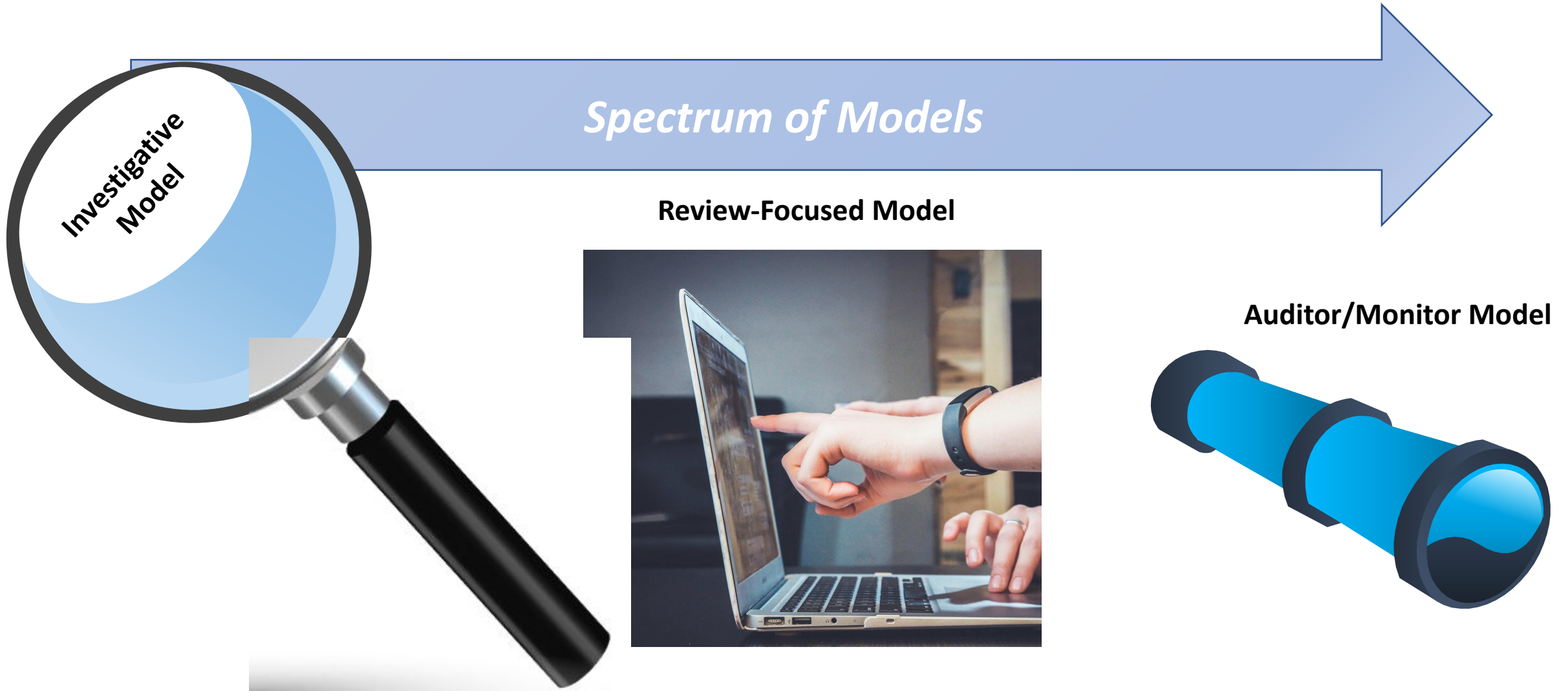
Key Questions:

- **What is the appropriate scope?**
- **What are the unique set of functions that CPRBs can bring into the ecosystem?**

Roadmap for today:

- **Brief overview of Historical Models**
- **Enumerate scope and spectrum of functions for civilian oversight of law enforcement across the country/time (schematic)**
- **Decision points in establishing a CPRB**
- **Example: Cambridge Police Review & Advisory Board**

Historical Models of Civilian Oversight



Civilian Police Review Elements

Defining the Scope:

- Monitor/Review/Investigate Police actions
- Monitor/Review/Comment Police Department policies, practices, and procedures
- Promote positive police/community interactions

Civilian Police Review Elements

Monitor/Review/Investigate Police actions

- Filing of complaints
 - Directly to CPRB
 - Directly to PD
 - Both/Either
- Investigative Function
 - PD internal investigation (CPRB monitors or review)
 - CPRB has investigative powers
 - Source of technical assistant
 - Subpoena power
 - Hearings/representation (public/private)

Civilian Police Review Elements

Monitor/Review/Investigate Police actions (continued)

- Reporting and Resolution
 - Report to town government / Police Department
 - Interim reports
 - Final reports
 - Recommendations
 - Disciplinary actions
 - Policy review
 - Mediation
- Appeals

Civilian Police Review Elements

Monitor/Review/Comment Police Department policies, practices, and procedures:

- CPRB Initiates policy review
- Data gathering/"investigation"
- Report of policy recommendation to town government

Questions Given a Choice of Functions

- Staffing needs and funding
 - Voluntary board (#?)
 - Paid staff
 - Investigators
 - Computers/Data storage/Analysts/Consultants
 - Budget
- Degree of openness for procedures (public/private)
- Subpoena power
- Time lines to avoid delays
- Coordination of processes with town and PD

Advantages of Civilian Police Review Boards

Citizen's Perspective

- Individuals feel validated
- Satisfaction of expressing concerns
- Community is doing its part in police accountability

Police Department's Perspective

- Improves image and relationship with the community
- Strengthens quality of internal investigations and ensures they are thorough and fair
- It has resulted in valuable policy and procedures recommendations

Example: Cambridge Police Review & Advisory Board

Purpose:

- (1) To provide for citizen participation in reviewing Police Department policies, practices and procedures, and
- (2) to provide a prompt, impartial and fair investigation of complaints brought by individuals, police officers upon whom a complaint has been brought and employees of the Police Department

Chapter 2.74.010

(Ord. 1018 (part), 1984: prior code Ch. 15 Art. 4 § 1)

(Ord. 1268, Amended, 09/29/2003)

Cambridge Police Review and Advisory Board

Function:

- (1) Offer consultation to Police Chief on policies, rules and regulations for the Police Department
- (2) Receive and resolve complaints
- (3) Recommend disciplinary action
- (4) With approval of city solicitor, the board has the power to subpoena witnesses, administer oaths, take testimony, and require production of evidence
- (5) Report quarterly to city government

Cambridge Police Review and Advisory Board

Composition & Staff:

- (1) 5 members appointed by City Manager among residents with no conflict of interest, for 5 years, 2-term limit,
- (2) Board can appoint a board investigator and staff if it deems necessary, and they will be under the direction of the board

Complaints, Resolution, and Discipline:

- (1) Complaints may be filed with the Department or the Board, but forwarded to both
 - (a) If filed with the department, a report should be send by the Department to the Board within 30 days
 - (b) If filed with the Board, it should start preliminary investigation and in 30 days determine if full investigation is needed
- (2) The board can hear or assign a fact finder for all complaints not resolved, and all involved have a right to counsel
- (3) The Board shall make disciplinary recommendations to the Department/City

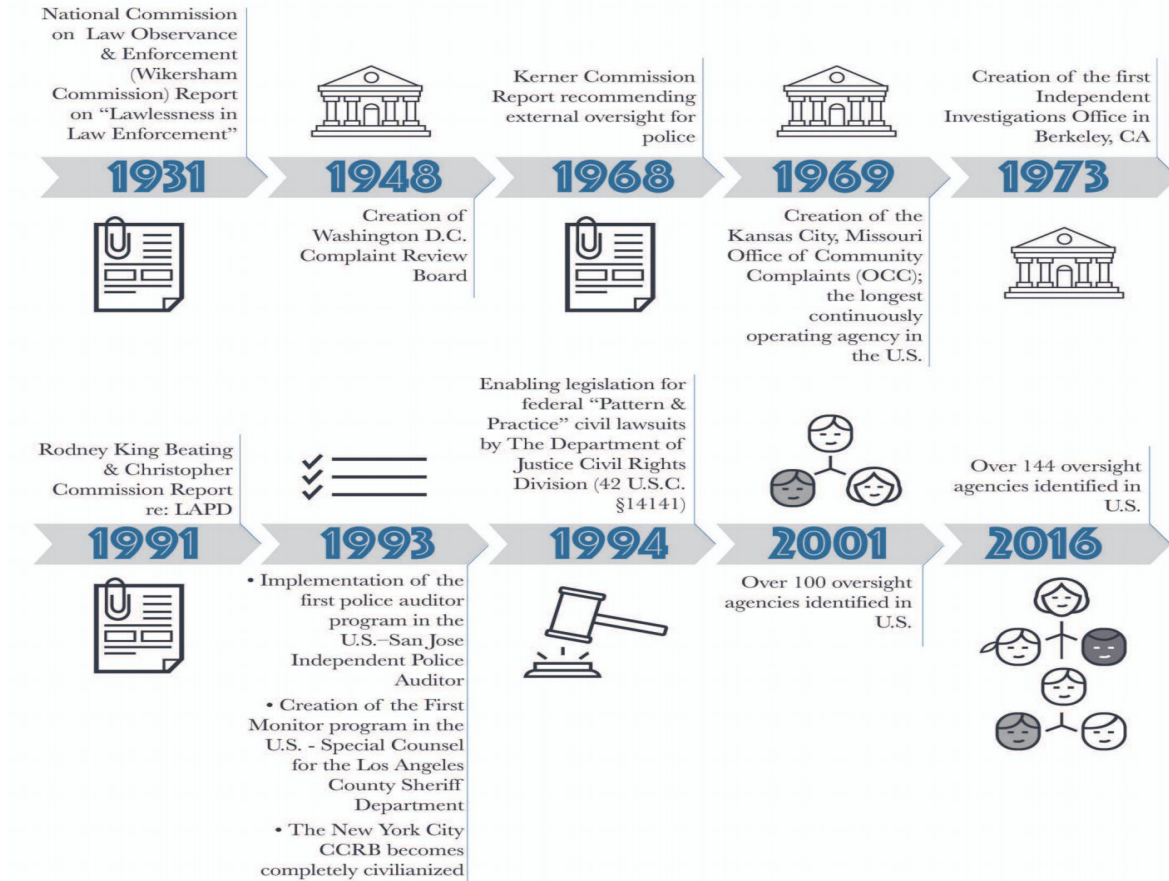
Cambridge Police Review and Advisory Board

Other:

- Appointees should reflect the City's diversity
- The Board and the City Council shall review the Department budget before it is submitted to the City Manager
- The board can cause to investigate any complaint concerning the Department or its rules and regulations
- Reports and action of the Board regarding petitions and complaints shall be made public
- On the written petition by 50 or more residents, the Board shall hold a hearing to the purpose of answering the petition

Appendix

Brief History of Civilian Police Review Boards



CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

A REVIEW OF THE STRENGTHS AND WEAKNESSES OF VARIOUS MODELS

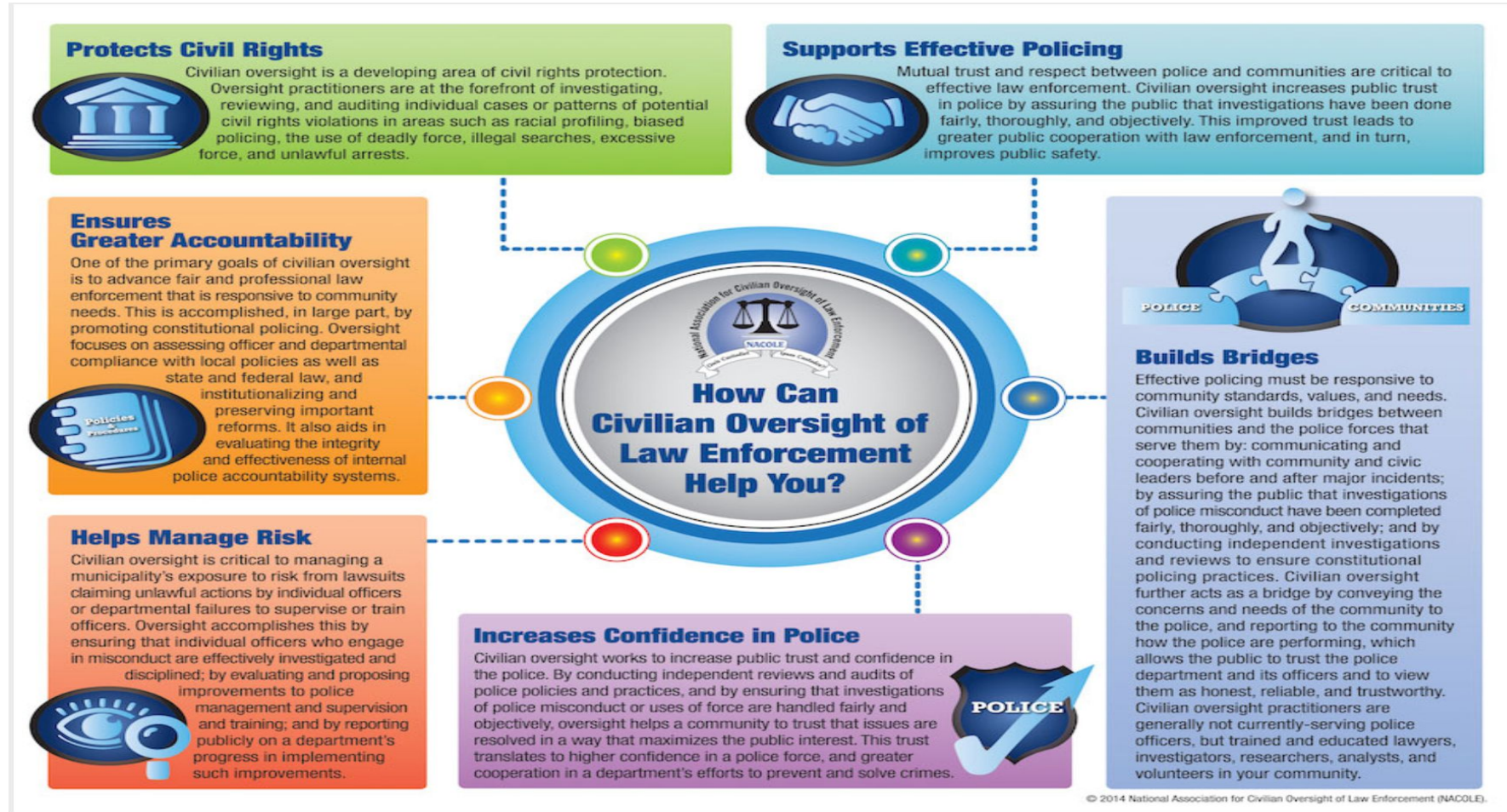
Joseph De Angelis | Richard Rosenthal | Brian Buchner



Common Functions by Model

	Investigation-Focused Agencies	Review-Focused Agencies	Auditor/Monitor Agencies
Receive Community Complaints	Frequently	Frequently	Frequently
Decide How a Complaint will be Handled	Frequently	Rarely	Sometimes
Review Police Complaint Investigations (e.g., for thoroughness, completeness, accuracy)	Sometimes	Frequently	Frequently
Conduct Independent, Fact-Finding Investigations	Frequently	Rarely	Sometimes
Perform Data-Driven Policy Evaluations	Sometimes	Sometimes	Frequently
Recommend Findings on Investigations	Frequently	Sometimes	Frequently
Recommend Discipline to the Police Chief	Sometimes	Rarely	Sometimes
Attend Disciplinary Hearings	Sometimes	Rarely	Sometimes
Have a Board Composed of Community Members	Frequently	Frequently	Sometimes
Hear Appeals	Sometimes	Sometimes	Rarely
Have Paid Professional Staff	Frequently	Sometimes	Frequently
Staffing and Operational Costs	Most Expensive	Least Expensive	Intermediate Expense
Table notes: Based on data collected from 97 U.S. oversight agencies, 2016.			

How Can a Civilian Police Review Board Help?



Key Resources

Associations and Examples:

- National Association: <https://www.nacole.org/>
- Cambridge Police Review Board: <https://www.cambridgema.gov/Departments/policereviewandadvisoryboard>
- Somerville Civilian Oversight of Police
 - https://www.somervillema.gov/sites/default/files/24%20March%2021%20CiVo%20Final%20PPT_BEC.pdf
 - <https://www.somervillema.gov/sites/default/files/civilian-oversight-committee-preliminary-analysis-report.pdf>

Good Reads:

- Report by the DoJ, 2001: <https://www.ojp.gov/pdffiles1/nij/184430.pdf>
- NACOLE report on strengths/weaknesses:
https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977
- NACOLE report on evidence:
https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727974/NACOLE_AccessingtheEvidence_Final.pdf?1481727974